

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:18CR278
)	
Plaintiff,)	JUDGE JAMES S. GWIN
)	
v.)	
)	
AARON NICKERSON,)	<u>GOVERNMENT'S RESPONSE TO</u>
)	<u>DEFENDANTS' REQUEST FOR</u>
Defendant.)	<u>DISCOVERY</u>
)	

Now comes the United States of America, by and through attorneys, Justin E. Herdman, United States Attorney, and Scott C. Zarzycki, Assistant U. S. Attorney, and pursuant to Rule 16 of the Federal Rules of Criminal Procedure, the government hereby responds to defendant's request for discovery.

I. Discovery and Inspection

The United States will permit the defendant to inspect and copy or photograph:

A. Statements of the defendant to law enforcement agents.

1. The defendant made statements to law enforcement agents.
2. No grand jury testimony by the defendant.
3. There are recorded statements of the defendant.

B. Defendant's prior record.

The government has no information about the defendant's prior criminal record additional to what has already been provided and what was contained in the Pretrial Services Report.

C. Documents and tangible objects.

Prior to trial and at the convenience of defense counsel the government will permit inspection, copying and photographing of the items listed in Rule 16(a)(1)(E), documents and tangible objects, including the following

1. White iPhone with a cracked screen,
2. Physical evidence recovered from blue Toyota Camry,
3. Physical evidence recovered from black Chevy Cruz,
4. Physical evidence recovered from black Honda Accord,
5. Gloves located outside the black Honda Accord, and
6. FDIC certificates.

For purposes of expediency, the government has provided documents and tangible objects to defense counsel described as follows:

1. FBI investigative reports,
2. Richmond Heights police reports,
3. Euclid police reports,
4. East Cleveland police reports,
5. Warrensville Heights police reports,
6. Bank financial loss audits,
7. Video Surveillance,
8. Still photos from video surveillance,
9. Photos of vehicles used in bank robberies and locations of recovery,
10. Photos of items recovered from vehicles used in bank robberies,
11. Sketch of blue Toyota,
12. Recording of Nickerson interview,
13. Recorded call between Nickerson and Shandrea Sherman,
14. DNA evidence and reports,

15. Map,
16. Cell phone extraction and photos from cell phone, and
17. Cell phone tower location data

D. Reports of examinations and tests.

Prior to trial and at the convenience of defense counsel the government will permit inspection, copying and photographing of the items listed in Rule 16(a)(1)(F), reports of examinations and tests.

The government reserves the right to supplement additional discovery as received.

II. Exculpatory Evidence.

The government is mindful of its obligations under Brady v. Maryland, 373 U.S. 83 (1963); United States v. Agurs, 427 U.S. 97 (1977); and Giglio v. United States, 405 U.S. 150 (1972). To the extent such information exists, the government will divulge to counsel at or shortly before the time of trial all promises or inducements offered to government witnesses, any plea agreements entered into therewith, the prior conviction of all such witnesses, any financial consideration provided thereto, and all other impeachment material subject to disclosure under the foregoing authorities.

Respectfully submitted,

JUSTIN E. HERDMAN
United States Attorney

By: /s/ Scott Zarzycki
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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of June 2018, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Scott Zarzycki

Scott Zarzycki

Assistant U.S. Attorney